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April 26, 2004

VIA HAND DELIVERY

Ms. Marlene H. Dortch Secretary Federal Communications Commission The Portals II 445 – 12th Street, S.W. Room TW-A325 Washington, D.C. 20554 RECEIVED

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~EDERAL COMMUNICATIONS COMMISSION OFFICE OF THE SECRETARY

Dear Ms. Dortch

On behalf of Univision Radio License Corporation, licensee of Station WVIX(FM), Joliet, Illinois (FCC ID No. 48449), there is herewith submitted an original and four (4) copies of its <u>Comments</u> in MB Docket No. 04-34 (RM-10848), which looks toward the Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations, by the reallotment of Channel 228A from Joliet to Lemont, Illinois, and the modification of Station WVIX's authorization accordingly.

Please direct all communications regarding this matter to the undersigned counsel.

Yours very truly

Lawrence N. Cohn

Enclosures (5)

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BEFORE THE

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Federal Communications Commission

In the Matter of)	
Amendment of Section 73 202(b), Table of Allotments, FM Broadcast Stations. (Joliet and Lemont, Illinois))))	MB Docket No. 04-34 RM-10848
To John A. Karousos Assistant Chief, Audio Division Media Bureau		

Comments

Univision Radio License Corporation ("URLC")¹, licensee of Station WVIX(FM), which operates on Channel 228A at Joliet, Illinois, by its counsel, hereby submits these Comments in response to the Commission's Notice of Proposed Rule Making (DA 04-366) (released March 5, 2004) ("NPRM") in the above-referenced proceeding.

Background/Statement of Support for NPRM

URLC filed the Petition for Rule Making which led to the Issuance of the Commission's NPRM, and it supports the proposal set forth therein--i.e., the reallotment of Channel 228A from Johet to Lemont, Illinois, and the modification of Station WVIX's license (see comments below) accordingly.²

The name of HBC License Corporation, in whose name the Petition for Rule Making which led to the issuance of the NPRM was filed, has been changed to "Univision Radio License Corporation"

The Petition for Rule Making was filed pursuant to Section 1 420(i) of the Commission's Rules, and hence competing expressions of interest will not be accepted, and URLC is not required to provide equivalent class channel for the use of other interested parties See NPRM, Paragraph 6

URLC hereby incorporates by reference the statements and representations set forth in its Joliet/Lemont, Illinois Petition for Rule Making—URLC hereby restates that, should the Commission approve the proposal set forth in the NPRM, it will promptly file an application to modify its license for Station WVIX to specify Lemont as the station's community of license and, upon Commission approval of the application, it will assure that Station WVIX operates in accordance with its authorization

Response to Request for Information

In the concluding sentence of Paragraph 5 of the NPRM, the Commission requests that URLC provide the following information in its comments:

We also request that petitioner provide the public interest benefits derived from the transmitter site change at the application stage in order to determine if it also warrants consideration at the allotment stage

This request is presumably based on the state of affairs as of December 9, 2003, the date URLC filed the Petition for Rule Making with the Commission; namely, (1) the Commission had granted a construction permit application to allow Station WVIX to change transmitter site (BP-20020822ABT, granted January 9, 2003); (2) Station WVIX was operating from the approved site pursuant to program test authority; and (3) a license application was pending before the Commission (BLH-20031015ADZ). See NPRM, footnote 1 However, on February 9, 2004, the Commission granted the Station WVIX license application, and the station is currently operating pursuant to that authorization. Since the Commission has already granted Station WVIX a license to operate at the current site, URLC can perceive no reason why information relating to

the "public interest benefits" from the operation at this site could possibly be relevant in the context of the instant rule making proceeding.³

Conclusion

In conclusion, URLC supports the proposal set forth in the NPRM, and urges the Commission to amend the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, as proposed in Paragraph 7 of the NPRM--i.e., by reallotting Channel 228A from Joliet to Lemont, Illinois, and by modifying Station WVIX's authorization accordingly.

Respectfully submitted

UNIVISION RADIO LICENSE CORPORATION

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Its Counsel

Date: April 26, 2004

URLC trusts that the foregoing fully responds to the Commission's request for information in the concluding sentence of Paragraph 5 of the NPRM However, if the Commission advises URLC that additional information is requested, URLC will endeavor to supply it